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SUMMARY OF NEWS.

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Politics of Europe.

We to-day lay before our readers, the Debate in the House of Commons on the 30th of May, containing the legal opinions of Mr. Brougham, Mr. Scarlett, and the Solicitor General, on the "Constitutional Association." Some may recollect, how the establishment of this Junta was hailed by the *soi-disant* loyalists of Calcutta, the lovers of Summary Transmission, Decency, and Truth, as the great nostrum that was to invigorate the execution of the Laws, and expel the baneful poison of Radicalism. It may not be amiss to compare their opinions with the sentiments expressed respecting it, in the House of Commons, by men whose studies and habits of life enable them to judge of what is legal and constitutional. The following is from the *Eastern JOHN BULL* of August 19, as containing his sage opinions, and those no doubt of his associated supporters, on this question.

"The views of this associated body, composed almost entirely of individuals possessing high respectability with independent fortune and at the same time *unconnected* with the management of public affairs, are not liable to be misrepresented, as they can be *productive of no effects except such as tend to public benefit*. They have combined their efforts to maintain social order and to support the due execution of the laws—to discountenance and oppose the dissemination of seditious principles—to confute the sophistries and expose the falsehoods which wicked and designing men employ to mislead the people—and to use all lawful means that may be expedient, in order to restrain the publishing and circulating of sedition and treasonable libels. Such measures can be only regarded as praiseworthy by all who are attached to the constitution of their country, and who desire to behold their countrymen enjoying its blessings *fully and contentedly*. Their direct tendency is to combat the influence of pernicious doctrines, and to strengthen the hands of the law by stimulating its *salutary operation*—to protect the orderly from wanton outrage, and to recall the victims of delusion to the paths of decorum and propriety. *As they acknowledge no bias towards the peculiar feelings of any party in the state, they must be viewed with approbation by good men of all parties, and they can only be odious to those who are mischievously disposed.* They may, if duly and vigorously prosecuted, be of incalculable benefit, without the possibility of producing the smallest concomitant injury."

After this eulogium we have the Exposition of the Law of Libel by the Association, setting forth principles, which if once admitted and acted upon as Law, no Liberty of the Press could exist. This Exposition, which is lauded as so clear, so correct, and so concise, that its like cannot be found, sets forth, as a general principle, that no man shall injure the reputation of another, and that any publication criminalizing an individual, or *even exposing him to ridicule and derision* is libellous; and that the same rule will apply in every respect to libels upon public men, as to "libels upon private individuals." It is hardly worth while to notice that the persons who put forth these doctrines here, as meeting with their most cordial acceptance, have since that period, been employed, in direct opposition to these principles, in uttering a series of pitiful libels against one individual, who derides their puny efforts as much as the people of England despise the Mock Constitutional Association; and even if their power to injure him had been equal to their will, he would have scorned to avail himself of their own mode of professing one thing and practising another, to bring them to punishment.

The "Constitutional Association," however, deserves to be viewed as to its pernicious political tendency. We have the opinion of Mr. Scarlett that it is illegal, Mr. Brougham has shown it to be *unconstitutional*, the Solicitor General and Lord Londonderry have tacitly admitted it to be impolitic. As these are the highest authorities in their way that can be had, the matter might be safely left on this ground; for if any thing for the public benefit could be expected to result from such an Association it would not surely have escaped the notice of both sides of the House. It is in vain to say that the members of the Association "are unconnected with the management of public affairs," and "acknowledge no bias towards the peculiar feelings of any party;" for the principles they avow and the doctrines they inculcate, are incompatible with even the shadow of Liberty of the Press. Who, before this, ever conceived an opinion that if one person should commit a ridiculous action and another publish it, without any malicious intention, the latter would be guilty of a libel, because it exposed the former to derision? If Lord Londonderry utters a string of absurdities in Parliament, are the reporters and publishers of the Debates to be subjected to punishment, because his Lordship has exposed himself to the ridicule of all men of sense in the kingdom? Or are the magistrates and yeomanry of Manchester to be allowed damages from the Editors of the *Times* and *Morning Chronicle*, because by publishing the whole truth to the world they have consigned the devisors and perpetrators of these disgraceful scenes to the detestation of all posterity? This might be a comfortable state of the law for some, but especially for persons whose actions would not bear the scrutiny of Public Opinion; but the salutary control of public opinion over the acts and conduct of public men is as necessary in the British Constitution, as the pains and penalties of the law over the conduct of private individuals. The one is as essential as the other, if our liberties are as dear to us as our lives, and if we wish to protect our property equally from public as from private spoliation.

It is amongst the worst symptoms of the present times that the country is divided into parties differing so widely in principles and interests, that there seems no bond of union whatever between them; the links, as it has been observed, that bind the higher and lower orders together seem completely broken asunder, and instead of that community of feeling which constitutes the strength of the body-politic, Englishmen detest each other more than ever they did Frenchmen or Saracens;—for what name was ever pronounced with more contempt and abhorrence than a Radical? All men of sense see very well to what this is tending; the virtuous lament it, and wish to prevent it by removing in time those abuses that are the cause of this fatal disunion. The real enemies of the country strive to perpetuate the causes of discord, knowing or not knowing that the longer this corrupt system is continued the greater will be the catastrophe. The readiest method to make an irreparable breach between the parties into which the country is divided, is to marshal them in Associations against each other. Give them party names as badges and watchwords to distinguish them, let them publish their respective creeds or manifestoes, and enroll their names and identify the safety of every individual with the success of his party. Then indeed the work of Civil Discord will advance rapidly; numbers and union will inspire confidence, and mutual opposition and rivalry will excite to greater and greater degrees of violence, the laws will be perverted by the different Associations as the in-

strument of reciprocal proscription, and at last be subverted entirely by that party which turns out to be the stronger.

This is not mere supposition; for something of the same kind actually threatened to take place about the time of the French Revolution. But even now, who doubts the possibility of packing a Jury of Constitutional Associationists who would be willing to hang or banish, if physically possible, all the Radicals in the kingdom? And on the contrary, if the privilege of packing Juries (that art of arts) were entrusted to the Radicals, there would be some cause of apprehension for his Majesty's Ministers, Mr. HULTON of Hulton, and the Peterloo Heroes. Not only the actual members of the Association, but all their friends and dependants are implicated in the support of the principles of this odious combination, and the administration of Justice is poisoned at the very source. But we refer our Readers to the Report of the Debate itself, and the able opinion of Mr. BROUGHAM and Mr. SCARLETT on this subject.

Public Expenditure.—If the efforts made to reduce the public expenditure serve no other beneficial purpose, they at least tend to enlighten the country as to the character of those majorities by which reduction is resisted; and the only rational argument deducible is, not that the estimates are proper because they are so voted, but that a reform should take place in that body which can carry through estimates so disproportioned to the situation of the people. Indeed, if any independent man had been previously of opinion that the estimates were proper and reasonable, he would surely begin to suspect the justness of that opinion, when he discovered that they could only be carried by a phalanx of placemen. BUONAPARTE's imperial guard, the old and the new guard, were better clothed and paid than the rest of the French troops; but then they were always reserved for services of extreme danger and hardship. In the same manner are certain adherents of ministers, old and new, excellently well pensioned; but they also must fight on occasions where men of more scrupulous feelings and more regard for public opinion do not wish to appear.

Mr. HUSKISSON, one of the new guard, stated that however Opposition might endeavour to conceal the fact, the estimates of the present year were one million and a half lower than those of last year. Now this we recollect, is precisely the sum of which ministers (in the case of the malt tax) asserted that the remission could not be felt by the country; it was too small, in the midst of such a vast expenditure, to make the least sensible difference: so that, whatever the Opposition may do, Mr. HUSKISSON, at last acts very properly in speaking of a reduction which could not otherwise be perceived or known. A million and a half has then, in this first year of peace, as Lord PALMERSTON would say, between government and the nation, been remitted. Under any circumstances this is no great reduction between a war and peace establishment; but, from the increased value of money, it is in truth, an addition to the annual expenditure. It was asserted also that the Civil List, having been voted at the beginning of the reign could not now be altered. If a Civil List, after being once voted could never receive any addition, then we apprehend the bargain would be obligatory on both sides, and no diminution could be insisted on; but if the sum voted may be altered to the people's detriment, surely it may be also altered in their favor. The sum of 897,000*l.*, originally voted as a Civil List, is now raised by the increased value of money to one million four hundred thousand pounds. But this is not the whole. We must beg leave to recall to public attention that the Civil List is not now what it was during the last reign: for though some of those charges upon it were retained, over which the KING has no control, merely for the purpose of being able to retain also the old excuse when the magnitude of the list was complained of; yet the greater part of those charges was disingenuously shifted off upon the Consolidated Fund (as the whole would have been but for the reason just stated), and a much greater proportion of the present Civil List is expended by the KING personally than was the case heretofore.

However, the session of Parliament is now we presume, drawing to a close; and we may with equal sincerity congratulate

the two parties, between whom a civil war is said to have been waged for these five or six years. Ministers, by the rigid cohesion of their own body of placemen, will carry through all their estimates, whether for war or peace; and the people, particularly the agricultural interest, must also be satisfied; for they have got—A COMMITTEE: we know not what more they could wish for. At least, their representatives, we must presume, are content with that mode of relieving their distresses, or they would not else have shown such indifference to other schemes proposed—less rational; no doubt, in their estimation—such as the abolition of useless places, the diminution of exorbitant pensions, and the general equalization of our establishments to the means which we possess of supporting them.—*Times*.

The Queen's Visit to Covent-Garden Theatre.—On Saturday evening (May 19) her Majesty, without any previous public announcement of her intention, honoured Covent-Garden Theatre with her presence, to witness the representation of the *Tempest*. Her Majesty entered the theatre towards the end of the first act of the play, and was immediately recognised by the audience, who rose and greeted her with shouts of applause. The actors, who were on the stage at the time of her Majesty's entrance, were compelled to retire, amidst a general call for "God save the Queen!" and we regret to say that their places were not supplied by the vocal performers so promptly as they ought to have been. The anthem of "God save the King," was, however, at length sung from the stage, the audience standing uncovered, and almost universally vociferating the name of the "Queen!" at the conclusion of each stanza. One or two individuals who wished to oppose this expression of loyalty, were silenced by a cry from those around them. Her Majesty occupied the same box which was appropriated for her Royal husband when he visited this theatre, namely, the first box of the dress circle on the left of the audience; but no partition divided her from the rest of the company. She was dressed in white satin, with a hat of the same material, ornamented with a plume of white feathers, fringed with crimson, and was attended by Lord and Lady Hood, and two of her pages. Her Majesty throughout the evening appeared to pay great attention to the performance. At the conclusion of the play, "God save the King" was again sung by desire of the audience, who received it with increased enthusiasm, substituting, as before, the name of Queen for that of King. Her Majesty then retired amidst universal and prolonged cheering from all parts of the theatre. Upon entering her carriage, her Majesty received every possible mark of respect and attachment from a great croud assembled in the front of the theatre, and anxiously awaiting her appearance. The Princess Augusta was also present at this theatre on Saturday.—*Star*.

London, June 2, 1821.—It gives us great pleasure to see, that the independent of all parties in this country feel indignant at the sentiments contained in the Circular from Laybach. Mr. Stuart Wortley is a Tory, he supported Ministers throughout the war, and he has almost uniformly approved of all their measures; but he is an English Gentleman, and feels the value of the privileges he enjoys under that Constitution which the Allies have condemned in so unqualified a manner. We respect the manliness with which he comes forward on this occasion to give expression to what we have no doubt he feels in common with many independent men of his party. Indeed, we would fain hope, that there are not many men in this country so insensible to the advantages for which we are indebted to our Constitution, as to approve of the slavish doctrines which the Allies have dared to publish to the world. This is not a question as to the degree of support which ought to be given to the Executive—as to the policy or impolicy of a war—as to the rejection or adoption of a plan of Reform; but it is a question whether or not there shall only exist in the world Despots and Slaves? The Allies boldly proclaim to the world, that they consider Sovereigns accountable only to God, and that they will oppose themselves to all institutions which do not emanate from their free will: they pronounce judgment against many of our most invaluable privileges, and proclaim to the world that the Sovereign who fills the Throne of

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these realms is an Usurper. Truly, it is high time for English Gentlemen to speak out. This comes of making Huns and Tartars the arbiters of Europe.

One good they have done: they have removed for ever, all doubt as the opinions they really entertain. The time was, when their language led many to entertain very different opinions as to their views. But when those, who have a million of armed men at their disposal, tell the world that they are accountable only to God, that they will maintain whatever is established, and that they will only recognise institutions obtained from the free will of sovereigns, there can be but one opinion respecting them.

Neither their metaphysics nor their swords will, however, alter the nature of things. The History of the World is a History of Revolutions; and the time to come will bring with it its changes, as the past has done. The world never remains stationary. Let us only contemplate the progress of any one nation from its first appearance in history. What endless changes and revolutions, for instance, the people of this country have experienced since the period their ancestors roamed savages through the woods of Germany! How often in that time has violence been done to the free will of men in power? When the free will of a Sovereign does not consent to the changes which time has rendered necessary, they will be effected against his will.

The sea would not obey the command of Canute, and revolutions will take place in spite of Alexander, Francis, or Frederick. The dread of innovation will not prevent revolution, but an opposition to necessary change will add to its violence.—It would be well if this truth were more generally borne in mind by the depositaries of Power.—*Morning Chronicle*.

Letter from Rome.—The baggage of a considerable detachment of the Austrian army, proceeding from Naples to the North of Italy, has arrived here. The convoy consisted of about 100 carts and waggons, and was escorted by a considerable detachment of Tyrolese. The officers who have arrived here state variously the number of troops who are either on their march, or about to set out for the North. Yesterday two regiments of Tyrolese chasseurs, and two battalions of hussars, consisting in all of about 2,500 men, entered Rome, with bunches of laurel in their hats, and were present at the Pope's benediction from St. Peter's. This sign of triumph they commonly wear since their brilliant success over the Neapolitans. The Officers deal rather hardly by their conquered antagonists, and allow them so little courage as scarcely to justify the laurels which they wear for their subjugation. An order has been sent to a detachment of Austrian troops in the Abruzzi to take possession of Ancona, and probably Bologna will share the same favour. This occupation of Ancona takes place, of course, in consequence of the Pope's consent, and is an additional proof, if any were wanting, that the petty Sovereigns in Italy are now as completely feudatories of the Austrian, as ever they were of the German or French empires. Ancona is the only considerable port of the Papal territories; and it will no doubt very much encourage a free trade that it is placed under the protection of Austria!

City Failure.—We are sorry to have to announce a failure of a House of the first consequence in the City; the house in question has been long distinguished for its extensive concerns with the Manchester and Scotch trade. Some hundreds of persons will, we fear, be involved in consequence.

Sovereigns.—Several Fund-holders, we have heard, have sold out a large portion of their stock for the purpose of receiving Sovereigns, a great number of which, it is believed, have been already hoarded. The novelty of receiving cash for Bank notes has had this effect, which will, it is feared, take a great quantity of gold coin out of circulation.

Bank Notes.—It is not true, as generally supposed, that an order had been issued for 11. notes being drawn out of use; but, by the recent Act of Parliament, the Bank is empowered to pay them in specie one year sooner than had been agreed upon; but this does not discontinue the free circulation, or in the small-

est degree reduce the current value of the notes in hand—neither preventing any from receiving them, nor any holder from insisting or tendering them in payment.

Vaccination.—In a Report of the Vaccine Establishment to the Secretary of State for the Home Department, it is acknowledged that "the pretensions of Vaccination to the merit of a perfect and exclusive security in all cases, against small-pox, were admitted at first rather too unreservedly." This acknowledgment is accompanied with the assurance, that though vaccination does not always prevent small-pox, it never fails to mitigate its severity, and render it less fatal. It states that "the small pox has occasioned the loss of many lives in various parts of the kingdom, and that not less than 792 persons have died of that distemper within the bills of mortality, in the course of last year. This is about one-third of the average number of those who perished annually in the metropolis before the introduction of vaccination; affording a strong presumptive proof that great prejudices still prevail against vaccination. The reports of the vaccinators at the several stations in the metropolis, give only eight cases of small-pox, out of nearly 67,000 vaccinated by them, since the first establishment of this Board."—The report adds, "The continuance of the practice of inoculation for the small-pox is the main source of whatever disappointments we have met with; for in these countries where the Legislature has interfered to prohibit it, and to enforce vaccination, the small-pox has become almost unknown."

Sporting.—Captain Hislop undertook his match to trot his brown mare in harness fourteen miles in one hour, for 100 guineas. He started over a two-mile circle, on the Beaconsfield road, with a peculiarly light constructed gig. He did the first two miles in eight minutes and a half; the next two in eight minutes and twenty seconds and a half; the ground in twenty-eight minutes and thirty seconds. The horse was kept at a winning pace in each mile, and the match was won easy in one minute and ten seconds within the given time—Six to four against time. A pony, belonging to Mr. Humberstone, was matched to gallop 14 miles in three quarters of an hour for fifty guineas, to carry feather weight. This match was won cleverly in two minutes within the given time—Even on time.

American Heroine.—A Mrs. Gammett, of Sharon (Connecticut,) has applied to the American Government for a pension under the Revolutionary Pension Law; having served three years in the army, under the name of Robert Shurtleffe, and received three wounds! Since she left the army she has been married, and is the mother of seven children. She is now in her 62d year.

Physicians in Spain.—In the present day the fee of a physician in Spain is twopence from the tradesman, twopence from the man of fashion, and nothing from the poor. Some noble families agree with the physician by the year, paying him annually four score reals, that is 16s. for his attendance on them and their families.

Hop Grounds.—There is in some hop-grounds, at Rotherfield, in the Eastern part of the county, a hop-pole, which has been used for no less a time than 35 years!

Polyanthus.—A botanical curiosity, has been exhibited at Lewes. It is a polyanthus, with more than 60 flowers on the same stem, but perfectly separate from each other, which had been gathered at Asham.

Singular Fact.—A most singular circumstance has occurred at Hailsham, which offers a problem worthy the investigation of the curious. A ball of hair, of a hard substance, and of a glossy black colour, has been taken from the stomach of a bullock, belonging to Mr. Kennett, of that place.

Basking Shark.—A basking shark was lately caught in Bracklesham Bay, south of Chichester. It measured nine feet in length, and, on its being opened, four young ones were discovered, which weighed 7lbs. each.

Waterford.—Three hundred ejectments on different lands were saved in the county of Waterford since Christmas last, for non-payment of rents.—*Cork Mercantile Chronicle*.

Lines

ON THE DEATH OF A FRIEND WHO DIED AT
NAPLES, 1820.

And is thy sun for ever set?
And are thy pains and pleasures o'er?
I little thought, when last we met,
That we should meet on earth no more!
For I had fondly hoped, ere long,
Those hours, I passed, of old with thee
Might haply be renewed among
The classic haunts of Italy.
But when I reach that lovely land
Whose wonders led thee o'er the wave,
It will not be to clasp thy hand—
But gaze upon thy early grave!
And, ere another summer fade,
A pilgrim to a distant shrine
Shall seek the spot where thou art laid,
And kneel beside that grave of thine.
And if some stranger, drawing near,
While o'er thy quiet couch I bend,
Should ask for whom I shed the tear—
I'll tell him that thou wast my friend.
I'll tell him, many a heart was thine
Beyond the blue and bounding sea:
That thou wast of a noble line—
And all the hopes that died with thee.
And then we'll plant the laurel bough
Above thy narrow bed to bloom—
Since death denied it to thy brow,
Its leaves shall tremble o'er thy tomb.

Monsieur Lavalette.

The return of this individual to that country on the soil of which he was condemned but six years since to shed his blood under the axe of the law, is one of the many examples which history offers in the interests of humanity, to check the indulgence of vindictive passions in moments of political anarchy, and allow time for the restoration of the empire of justice under the auspices of truth and mercy.

Monsieur Lavalette was charged with the crime of high treason for resuming his functions as Post-Master-General immediately after the departure of the King from Paris, and before Buonaparte had entered Paris and re-invested him with that appointment.

This was the charge on which he was tried; but the true motive of his prosecution was a belief that he had conducted a correspondence with the island of Elba, and encouraged the return of his former Sovereign, his benefactor, and relation by marriage.

Monsieur Lavalette, when placed on the proscription list, was offered by Fouché a passport to quit the French territory. He refused to accept it; and confiding in his innocence, and further protected by the convention of Paris, he voluntarily presented himself as a prisoner to the constituted authorities; but it was not till the renewal of his application that the gates of the Conciergerie closed on him.

He was tried, condemned, and ordered for execution.

The subsequent transaction which affected his release a few hours before the consummation of the sentence, and secured ultimately his escape from France, are well known.

Madame Lavalette, however, became the victim of her generous devotion; she had to save her husband, risen from a bed in which she had endured the affliction of losing by miscarriage an only son. This effort, and the anxieties of her mind, followed by a long confinement, impaired her health, and produced alienation of her mental faculties.

Touched by those misfortunes, and convinced, no doubt, of the innocence of Monsieur Lavalette, the King, about a year since, signed the act of grace which cancelled the former proceedings, and re-established Monsieur Lavalette in all his rights as a French citizen.

It was not, however, till a few days since that a passport for his return to France was granted. Previous to his departure from Angsburg, Monsieur Lavalette considered it to be his duty to publish the following declaration, to the asseverations of which all those who know the private virtues of Monsieur Lavalette will not hesitate to give implicit credence, and to which only the most ungenerous political enemies (for Monsieur Lavalette never had a personal one) can refuse his confidence:—

(See the Declaration at the foot of the next column)

Lines

TO THE MEMORY OF CAPTAIN BLACKWOOD,
WHO FELL AT WATERLOO.*

The drum was heard at dead midnight,
And thousands at the stirring call
Were marshalled, by the torch's light,
In Belgium's crowded capital:
The cannon boom'd, the bugle wailed,
The falchion from its scabbard flew—
For Britain's lion-banner hailed
The field of Waterloo.

But this all know, and all shall know
While earth is rolling in her sphere;
While honor bids the soldier glow,
And glory crowns his sepulchre!
But o'er my harp one name shall swell—
The young, the brave, the kind, the true—
I knew him, and I loved him well;
He died at Waterloo!

Blackwood! I need not here proclaim
Thy blazoned shield, thy lineage high;
Let those who boast no better fame
Rake all they can from heraldry:
Enough for thee, thou hast achieved
A wreath of amaranthine hue:
Enough to live as thou hast lived—
And fall at Waterloo.

Thy brow, on Lusitania's plain,
Its maiden laurel won and wore;
And many a hard-fought field of Spain
Beheld thee with the gallant Moore:
A boy, thou bled'st at Badajoz,
And fought'st at the glorious struggle thro:
Thy sun on Lusian mountains rose,
And set on Waterloo.

Thy track was like a shooting star
Whose light made loftier planets dull;
And eyes are wet that hailed it far—
Alas, 'twas brief as beautiful!
The bolt that crossed thy brilliant way
Smote many a gentle bosom thro:
And many a hope was slain that day
With thee at Waterloo.

But oh! those deeds that never fade,
By glowing lips shall oft be woke,
Altho', without a tomb's parade,
Thou, slumberest in thy martial cloak.
Thy last, best field, was freedom's fort—
And fame unfolds to history's view,
With Poitiers, Cressy, Agincourt,
Triumphant Waterloo!

Declaration.

"In presence of Almighty God, the avenger of perjury, I declare that, during the eleven months of the year 1814 I never had any correspondence, direct or indirect, with any of the persons who inhabited the Island of Elba at that epoch, and that I never caused any letter to be written, or received any letter from them.

"I declare that I never sent, or caused any one to be sent, to the Island of Elba; and, finally, that I was as entire stranger to the events which prepared and consummated the enterprise of the 20th March, 1815. I make this public declaration, voluntarily, without being moved to it by any *arrière pensée*; without being instigated by any feeling of resentment, but only in the interest of truth. I had resolved to read it aloud on the scaffold, and to place it in the hands of the attending ecclesiastic; and I require that it may be presented to me again for signature at the last moment of my life.

14th May 1821.

M. M. LAVALETTE."

* This and the preceding tribute are to the memory of two brothers, who were, successively, the heirs presumptive to the titles and estates of Dufferin and Claneboy.

PARLIAMENTARY.

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Imperial Parliament.

HOUSE OF COMMONS, WEDNESDAY, MAY 30, 1821.

THE CONSTITUTIONAL ASSOCIATION.

The Marquis of LONDONDERRY having moved that the Report of the Committee of Supply be now brought up,

Mr. BROUGHAM rose to call the attention of the House once more to a Society, the existence and nature of which he had occasion upon a former evening to bring under its notice.*—(hear.) If he was then disposed to view with alarm what he saw in this Association, he viewed with still greater anxiety the proceedings that had since taken place—or, at least, that had since been avowed by it; for the date of them might have been prior to the occasion upon which he had last mentioned the subject. He held in his hand a letter which had been distributed among all the Members, and which purported to be a copy of another letter, a Circular, that this Association, unknown to the Constitution (hear)—the self-constituted body of prosecutors, had thought proper to issue—to whom did the house think?—(hear.) To the Magistrates of England—It came from "The Bridge-Street Committee." The "Bridge-Street Committee" (as if they were, of course, well known to all the kingdom) had erected themselves into a body, and issued Circulars only to all the Magistrates of England!—and what was their object? First, to expound to the Magistrates the Law of the Land in matters of Libel.—They enclosed in this Circular a copy of a pamphlet, composed under their auspices, and containing their exposition, their digest of this law, for the guidance of the Magistrates.—(hear.) Now, this might be reckoned only a foolish and presumptuous intermeddling on the part of the Committee; but it was followed by something of a different nature, as this Circular would show. That it was legal for a person to prepare a bill of indictment, or for two or more persons to prepare such a bill, he was not one to deny; but, whether though it might in itself be legal, if temperately and discreetly done, it might not deserve another character, if done, and systematically done, by a large body with formidable funds to back them—that might form another consideration. Many societies there might be, instituted for different purposes, and incidental to which might be a prosecution. Nobody would quarrel with them for that; but when the House saw an Association which was founded for the purpose of prosecutions, which was a system of indictments—(hear, hear); which attempted to put into execution the powers of the Attorney-General; and which would constitute itself the Board of Commissioners for exercising the office of that Law Officer whom it had suppressed—its legality became more questionable. Even with this he would not quarrel—(hear, hear, hear); but the object which they had in this Circular ventured to avow was not to be so passed over. (Mr. Brougham then read from a paper)—"Sir,—In pursuance of the 4th Resolution of the Address"—but the House ought to know that this was signed by a Mr. J. B. Sharp, who styled himself "Honorary Assistant Secretary." was dated No. 6, Bridge-Street, Blackfriars, and addressed to the Magistrates,—(hear, hear),—to the Magistrates of England! "I am directed"—by whom? "by the Committee"—so that the Magistrates were bound to know who and what this Committee was: "we are the Constitutional Association," was the style of the letter: and we attend here, in Bridge-street, Blackfriars, and talk of the "Committee"—just as we talk of "the King," or "the Government," or "the Privy Council."—The Circular, however, thus proceeded: "I am directed by the Committee to transmit you a copy of"—so and so—the Address, in short, of the Society. "In pursuance of the 4th Resolution of the address," (the Magistrate being thus desired to take notice of it) "the Committee have found it necessary to institute several prosecutions against persons engaged in the sale of libellous and seditious works; some of which prosecutions have been abandoned upon the parties expressing their contrition." In God's name, to whom—to whom were these persons called upon to express "their contrition?" To Mr. J. B. Sharp and this Committee, forsooth!—They were recognised by this letter to be the individuals to whom this contrition was to be expressed; and upon that being done, these Gentlemen, it seemed, were graciously pleased to enter a *nolle prosequi*—to give an intimation of their own intention to abandon their own prosecution! (hear hear.) But this was not all. The Association was not satisfied with convictions, with the surrender upon oath of the dangerous stocks of these disloyal and disaffected vendors of seditious publications, and with these expressions of contrition to Mr. J. B. Sharp; but the parties were required to enter into an engagement never again to drive the same trade.—Now here he must protest against a Society of this sort attempting in the face of day to found and erect a jurisdiction of its own, as it were, to indict sundry persons whom it might choose to proceed against; and then threatening the party with all those further measures which could be resorted to by an Association backed by ample funds, and supported by all those powerful names which it puts forth. The person proceeded against by them was menaced with ruin if he held out; for defence would amount to

ruin.—(hear, hear.) It would amount to ruin if he attempted to grapple with such an Association; and the party could have nothing else to look to unless he came forward and expressed contrition to Mr. J. B. Sharp, at No. 6, Bridge-street, Blackfriars—and unless, too, he gave up his whole stock of libellous and seditious publications; and even this would not avail him, without taking an oath to do so no more. And now he (Mr. Brougham) should like to be informed, if there were then present in the House any Member or protector of this Constitutional Association, upon what authority that oath was required. He desired to know, for this letter at present was not specially confirmed, upon what authority it was allowed, under such a Government as this, where regular offices and forms were preserved, where there were two such Law Officers as the Attorney and Solicitor-General, hitherto not slow to detect, nor remiss to proceed against such offences; where there was a Secretary of State not tardy, upon a former occasion, to expound the Law, (hear, hear,) and not backward in issuing his Circulars too, (hear, hear,) addressed likewise to the Magistrates of this kingdom (hear, hear, hear,) a Secretary of State not backward in transmitting his expositions upon matters of this kind, in a way which though it had been considered by some not to be very legal, was now admitted to be such by the Courts; and which at all times, in the eye even of those who most doubted its legality, would be held a much more regular and constitutional proceeding than this; in short, in a country where there was a regular Government, and where there were Law Officers, he wished to know by whose authority it was that this self-constituted, this unknown Association came forward with a Circular Address to the Magistrates of the land—avowing that their proceedings had gone on in a regular course, from association to subscription, from subscription to promulgation, from promulgation to the instituting of indictments against a particular set of individuals? Those indictments they threatened to prosecute against the parties, unless they gave up their stock in trade to—he did not know whom—upon an oath administered by—one whom nobody knew.—That no one might be in doubt upon the law, the Committee informed the public that they had "served a copy of the enclosed exposition of the law of libel," of their getting up, "upon every shopkeeper and other person who may so behave," "Many dealers," it was observed, "have thereupon relinquished the further sale and publication of these works and caricatures." And very right they were in so doing, unless they too had some Association to defray their expenses, and to defend them—"In no case has the prosecution been commenced till a few days after the service of this notice, with a view to allow them the opportunity of so relinquishing the sale of their stock." The House would observe here was a talk of serving a notice, just as if this was the serving of the writ of a Court of Law. "Under these circumstances, should a conviction of the party be obtained, the delivery of this notice will be pleaded in aggravation, upon the offenders being brought up for judgment." So that Juries and Judges were to be called upon to consider as the last of all imaginable aggravations, that parties shall have been served with notices of such a Committee as this, and had neglected to comply with them! They were to be found to have acted in contempt—in short, in contempt of Mr. J. B. Sharp himself. The notice of these illustrious personages—these honorary secretaries—these limits of the law, had been neglected, and parties were therefore to be prosecuted. This might sound absurd enough in that House, or in a Court of Law, but out of doors it would have this effect:—men might thus be proceeded against for what the wisdom of this Society had assumed to be scandalous and seditious libels, and yet be all the while perfectly innocent; because the Society might possibly mistake the law upon the subject. It might turn out, upon legal examination, that the poor tradesman, of whom they had previously bought the book or picture, had been much more innocently employed than the Society itself. But to show how likely the unfortunate parties were to obtain a fair trial, he would read another passage of this production:—"Prosecutions are now going on against a notorious vender of seditious publications." This was not throwing the slightest imputation to be sure upon the individual hereafter to be tried: it was in no degree giving a colour to the question; it was a proof of their anxiety that he should be fairly and dispassionately tried! He thought he had done quite enough in mentioning this matter once more to stop the course—to say no worse—the gross impropriety—of this Association. None of the least evils of that Association was the circumstance of its numbering among its members somewhere about 40 Peers of the realm—(hear, hear, hear,) who were thus lending their names to a set of men capable of using them for these purposes: for he was far from supposing that those Noble individuals, in so doing, were aware of the consequences of such a permission; which was, that in the end they were to be the Judges in the last resort of those who were to be prosecuted by such attorneys as these men were. Let the House well consider what must be another equally inevitable result of these prosecutions. An Association such as this was poisoning Justice in its very source. It called up all the angry passions and the interested feelings of individuals in that class of society from which jurymen were to be taken. He would beg to know what chance of a fair trial would a poor man have, before a Jury taken out of the neighbourhood of some great man, a Member of this Association, or who might ever happen to

* See the Report of this in the Journal of the 18th inst, page 527.

be part of his tenantry? He felt bound to say that he was not stating this case upon mere speculative grounds, but from something approaching to actual observation and experience; because a gentleman whom he well knew, a person of great respectability, fortune, and consideration, in a part of the country to which he would not now more particularly allude, upon seeing the name of a Noble Lord, of great worth and property, in the list of these Associates, did make a remark to the same effect.—(hear, hear.)—The Gentleman's first observation, upon reading it, was "While that Lord's name stands upon this list, none of his numerous tenants will be fit for Jurors at any such trials," (hear, hear.) It was obvious that the influence of such names widely spread, as in particular districts it must be, would effectually operate, in many cases, upon the minds of Jurors and prevent a liberal, fair, or impartial hearing of any case of this kind. After detaining the House thus long, he felt no hesitation in saying wherein lay the remedy for this evil. The Attorney-General had the power of suppressing the proceedings of the Society by entering a *nolle prosequi* upon all their indictments. Let it not be said that that Law Officers should rather stop till some case of gross abuse, or some instance of a crying and flagrant enormity might call for their intervention—an evil of such a description demanded a prompt and decided remedy. The thing was to be done generally and unsparingly. He had to apologize for again calling the attention of the House to one of the greatest abuses which had grown up for many years; and which if not put down by order of that House or by the Law Officers of the Crown might lead to much more serious perversions of the law than any other practices which had for a long time threatened it; and to which fatal termination the proceedings of this Association had been uniformly tending.

Mr. SCARLETT, after the speech of his Hon. and Learned Friend, felt enabled to add but little to his exposition of the mischievous effects which might result from this Association, with however good motives individuals might have enrolled themselves in it. By the Law of England the party aggrieved was allowed to be the prosecutor. The office of the Attorney-General was mainly intended for the express purpose of making a public prosecutor, where the public interests were concerned. Now the effect of this Society's labours was in fact, to libel the Attorney-General—(hear, hear.) They implied that that Officer had not been sufficiently vigilant, and that the Committee or Society therefore undertook to remedy his defect of duty. Now what would be said of a man—a private gentleman, for instance Mr. J. B. Sharp, or any one else—who should go about the country, indicting offences, committed not against his private interests, but against the interests of the public? What an extraordinary thing this would be, a sort of perambulating Attorney-General.—This Association undertook prosecutions, however, on a similar scale. Where the Attorney-General was concerned, the proceeding was regular; where the party aggrieved prosecuted, the defendant knew the prosecutor. In these cases, on the contrary, in which the Constitutional Association interfered, the prosecutors were unknown; no names were avowed, and some of them might be upon that very special Jury, which should try the offence charged against the defendant.—(hear, hear, hear.) The Hon. and Learned Gentleman concluded by saying that there was no person who had considered the question in a legal or constitutional point of view, who did not concur in condemning such an Association. He, therefore, fully concurred with his Learned Friend (Mr. Brougham) in the sentiments which he had expressed respecting it.

Mr. WARRE expressed his surprise that this Association, having been pronounced illegal by what he considered the highest law authority in that House, no Member of his Majesty's Government had offered a word of explanation on the subject.

The Marquis of LONDONDERRY observed that if he were to take for granted what had been said by the Hon. Member respecting the legal opinions of the Hon. and Learned Gentlemen who had preceded him, he could only express his regret that the same constitutional light and legal scruples had not operated upon them earlier; for he could point out a period, not very far back in the history of the country, when Associations had been formed, and great names subscribed to those Associations, for the prosecution of individuals not indeed for the cold crime of libel, but on a charge of murder,—and he considered that the influence of those Associations, and of those great names, were as much calculated to prejudice the Jurors against parties who might have been tried, as much as in the case to which the Hon. and Learned Gentleman (Mr. Brougham) referred.—(hear, hear.) But it seemed that all the constitutional fears and feelings of the Hon. and Learned Gentleman were excited against those who prosecuted for the crime of libel? and this it was which had called forth such a display of legal and constitutional knowledge.

Sir J. SEBRIGHT (we believe) expressed his entire concurrence in the opinions which had been given by the Hon. and Learned Gentleman respecting the self-called Constitutional Association which had taken upon itself the task of teaching Magistrates their duty. He for one would dispense with the instruction of such a Body, which he considered as one of the most illegal and unconstitutional which had come to the knowledge of that House.

Mr. BROUGHAM again rose, but was for some short time rendered inaudible by cries of "spoke" from the Ministerial Benches. In allusion to what had been insinuated by the Noble Marquis respecting inconsistency in those who opposed this Association, but who had seemed to sanction others of the description to which the Noble Marquis had alluded, he would only say that the insinuation was unfounded in fact—(hear, hear, hear); for he had distinctly said that an Association of two or more persons to indict or prosecute might be legal where there was a lack of diligence or wisdom in the proper quarter from which such prosecutions ought properly to originate; but what he objected to was the system of prosecution going on day after day, prosecution after prosecution, until the Liberty of the Press, which seemed to be aimed at, was reduced to a mere shadow. Such prosecutions, and the Associations for carrying them on, were different from those for prosecuting felony; for, in the former case, party feelings would be created; but who could suppose that a party could be made in the prosecution of felons?

The Marquis of LONDONDERRY observed that there was an Association for the Suppression of Vice, the object of which was to prosecute all offences against decency and morality, and he had not heard any objection to it; nor did he conceive why any objection should be urged against this Association, because it had for its object the prosecution of disloyalty and sedition.—(hear, hear.)

Mr. SCARLETT considered that there was no analogy whatever between the cases. He thought the self-called Constitutional Association a gross and severe attack on his Majesty's Government.

The SOLICITOR GENERAL said, that in the absence of his learned friend the Attorney-General, he could not avoid making a few observations to the House, and he could not avoid also expressing his surprise that the Association should have been called illegal. He differed wholly from this opinion, and would take it upon himself to say that in that Society there was nothing illegal, or at all contrary to the spirit of the Constitution—(loud and continued cries of hear from the Opposition benches.) If this were contrary to law, he should be glad to know who were the judges of the law—whether that House, or the ordinary Judges of the Land. Now he would say that when the question of the illegality of the Association had recently come before the Judges of the Land—(cries of no, no, from Mr. Scarlett,) he the Solicitor-General asserted that in consequence of an application by the Counsel for an individual against whom a prosecution had been commenced, the Society was mentioned; but he (the Solicitor-General) had not heard from the Court any insinuation that the Society was contrary to the law of the country. Could the House think that if this Society had been contrary to law, the Judges of the Land would not have objected to it? And were they (the House) to take it for granted, on assertions made from the other side, that this Society was contrary to law, against which the Courts of Law had not hinted an objection? (hear, hear, from the Opposition.) Were they to believe that the association of persons for the prosecution of offences against the law was in itself a violation of that law?—He maintained that such an Association was not illegal. Of the policy of it he begged to be understood as not giving any opinion; but he challenged his Learned Friends to say that it was illegal to prosecute persons guilty of the crime of libel.—He was surprised how any Hon. Member could for a moment assert that such a Society was an illegal one; but he would not say any thing as to its policy. It had been said that his Hon. and Learned Friend the Attorney-General might, if he pleased, enter a *nolle prosequi* to the indictments of the Society. He (the Solicitor-General) did not profess to be in the secrets of the Society; but he had been informed by a Learned Friend who sat down near him in the Court the other day, that there were two cases of the most atrocious libels against the Sovereign of the country; and he would ask whether those were cases in which a *nolle prosequi* ought to have been entered by the Attorney-General?—(long and continued cries of hear, hear, from the Opposition benches.) He very well understood the meaning of those cheers; but he would ask whether his Hon. and Learned Friend, the Attorney-General, was to make it his business to go into every print and pamphlet-shop in the metropolis in order to hunt out for libellous caricatures and publications.—(hear, hear, from the Opposition.) If the Society discovered such, and selected them for prosecution, it was by no means any imputation upon the vigilance of his Hon. and Learned Friend. He felt satisfied that his Learned Friend would use his discretion in cases of *ex-officio* informations; but it was hardly necessary for him to observe that there were cases where it would not be proper to prosecute—(hear, hear, from the Opposition.) The Hon. and Learned Gentleman concluded by repeating that the prosecutions instituted by the Society could not be considered as any reproach to the Attorney-General, that the Society was not an illegal one, though he again begged to be understood as not giving any opinion as to its policy.

Lord MILTON said that no Judge or Court could, or ought to give any opinion as to the legality or illegality of a prosecution on which they might be called to determine. With the Association in question they had nothing to do. They had only to decide upon the point of law, without at all considering who were the prosecutors. As to the two atro-

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cious cases of libel which the Hon. and Learned Gentleman had mentioned as having been prosecuted by the Society, he thought that mention of the fact was rather a severe philippic against his (the Solicitor-General's) colleague; for if they were of the nature described, the Attorney-General ought to have prosecuted them himself.—It had been said that there were some cases of libel which it might not be proper for the Attorney-General to prosecute, and he (Lord Milton) admitted the fact; but this was one of the objections to the "Association," that they would not make such distinctions.—(hear.)

The SOLICITOR-GENERAL, in explanation, observed, that at the time he had been informed of the two cases to which he had alluded the Grand Jury had found Bills respecting them, and that he need not say, would have been the proper time for the interference of the Attorney-General.

Mr. C. WYNN next addressed the House, but was for some short time inaudible in the gallery. We understood him at length to say that he objected to any public prosecutions by irresponsible persons, in cases of offences against the law of libel.—(hear, hear.) He was not surprised that many individuals supported such an Association, considering that so many libels were circulated through the country. The feeling, he did not doubt, was a good one, though he considered its application as unsafe, and dangerous to the community. The Solicitor-General had asked whether the Attorney-General was bound to hunt, by himself or his agents after libellous caricatures and other publications. He (Mr. W.) did not say he was; but he thought that the Secretary of State for the Home Department, and his agents, ought not to be ignorant of their existence, but should point them out for prosecution.—(hear.) To leave such matters to irresponsible bodies was, he thought, pregnant with danger. In looking to the former situation of the sister kingdom, they would find that the establishment of Orange Lodges had originated in a good feeling, in a wish to protect their members; but the House had seen how dangerous such Associations had since proved to be, and what disturbance they have occasioned in the country. In conclusion, the Hon. Member expressed a hope that Government would act upon the pledge which it had formerly given (in Lord Sidmouth's Circular, we understood,) and find a sufficient security without the aid of such Associations as that to which allusion had been made.

The motion for bringing up the Report of the Committee of Supply was then put and agreed to.

Mr. BROGDEN brought up the report; and on the question that the first resolution be agreed to.

Mr. SCARLETT rose and said, that the observations of the Hon. and learned Gent. (the Solicitor-General) called for a few remarks from him. If the House were to judge by the confident and dictatorial manner of that learned Gentleman, they might indeed come to a very different conclusion from what the real state of the question would warrant. He had not been unaccustomed to the confident tone of his honourable and Learned Friend (the Solicitor-General); but he was not prepared to expect such an address as he had heard him deliver that night; and he was satisfied that however bold and confident was the tone which he had assumed in that House, in a private conference he would not maintain the same mode of carrying on his argument. The dictatorial tone of the Honourable and Learned Gentleman reminded him (Mr. Scarlett) of a Quarter Session Barrister, who usually supported his opinion of what was law, by offering to bet 5*l.* that such was the law.—(hear, hear.) Now he (Mr. Scarlett) would say, though without the loud tone and confident manner of his Hon. and Learned Friend, that the Constitutional Association was illegal; without adopting the tone of the Hon. and Learned Gent. he would contend that it was unconstitutional, on the grounds stated by his Learned Friend (Mr. Brougham); and that it was impolitic he would maintain on the authority of the Honourable and Learned Gentleman (the Solicitor-General) himself; for he had been so much afraid of the question on that point, that there his confidence forsook him, and he had more than once guarded himself with the House against being understood to say a word on the question of policy. On that question *dum tacet clamatur*, he would not challenge the Honourable and Learned Gentleman's opinion of the law; but he would humbly give his own that the law was on this subject not as it had been laid down by that Learned Gentleman. As to the Society hunting for seditious publications, he (Mr. Scarlett) would not object to their becoming the jacks of the Attorney-General, and going before him to procure his game, provided they left it to his (the Attorney-General's) judgment, what should be selected for prosecution. If they confined themselves within such bounds, he should be satisfied; but the Association did not so confine themselves. He would not say that it might not be very difficult for the Attorney-General to stop prosecutions which had been commenced by the "Association;" but at the same time there might be many cases which they would be disposed to prosecute, which he (the Attorney-General) in his better judgement would pass unnoticed. With respect to the opinion of the Court of King's Bench, he would state that whatever was expressed was contrary to what the Solicitor-General had mentioned. It was rather against than for the "Association." He (Mr. Scarlett) was in Court at the time, and his recollection of the case was this:—The Counsel of a de-

fendant whom the Society had indicted, prayed for a list of his prosecutors, with a view of guarding against the chance of any of them becoming his jurors. The Court seeing the difficulty, wished to afford help, and they stated that if a Special Jury were named it would be then time to apply; but the Court could not, and did not give any opinion as to the legality of the "Association." The Hon. and Learned Gentleman, in conclusion, observed, that if this Association were legal, it would be also legal for the twelve Judges to subscribe for the prosecution of offences.

The Marquis of LONDONDERRY, in explanation, said he was in the recollection of the House, and had not spoken of the legality or constitutionality of the Association; but had only expressed his surprise that the same constitutional learning had not been shown by Honourable and Learned Members on another occasion, when an Association was formed for the prosecution of another kind of offence.

The question on the first item of the Report was again put, when

Mr. HUME objected to going at that late hour into the Report of Supply. He therefore moved as an Amendment, that the Report be received to-morrow.

The Marquis of LONDONDERRY said if the object of the honourable Member was to adjourn the consideration of the Report till to-morrow, he should have no objection.

The Report was then ordered to be considered to-morrow.

The Committee on the Metropolis Police Bill was postponed till Tuesday next.

Mr. JAMES moved that the House be counted.

Mr. J. SMITH requested that his Bill might be suffered to pass through the present stage, as it must otherwise be delayed till next Session.

The Bill was then ordered to be engrossed, and read a third time on Monday next.

After a few other orders had been postponed.

Mr. JAMES said he could not sit there, and see public business disposed of by so few Members; he therefore moved that the House be counted.

There being fewer than forty Members present, the House Adjourned at a quarter to one o'clock.

Mr. Pitt and his Biography.

Life of the Right Hon. Wm. Pitt to the year 1793. By the Right Rev. George Tomline, D. D. Bishop of Winchester.

Parturit montes, nascitur ridiculus,—not *mus* certainly, for a brace of thick quartos compiled with merciless amplitude from parliamentary debates and annual registers, physically and financially at least, are no such trifles. Setting bulk and price aside, the adage is tolerably applicable; a production less disclosive as to unknown matter of fact, or more trite in the management of that which is well known, was never offered to a satiated public. But certain consequences are felt, and certain clubs are declining; and whatever its merit, a book with an awful name in its title page, placed directly over that of an eminent publisher, has a marketable value. Sufficing reasons separately, but collectively overwhelming.

From his early attainment of power, and retention of it, with little more than a nominal interval, until his decease, the life of Mr. Pitt escapes from the minor province of Biography, into the more comprehensive one of History. From the engrossment and peculiarity of his character in other respects, it probably affords less of amusing and illustrative matter than that of Statesmen in general; but we scarcely can be brought to think that any life can be so wholly public as not to supply some materials for a contemplation of the habits, indications, sentiments, and manners, which mark the man as distinct from the politician. Bishop Tomline promises us something of this kind in a *third* volume; but as the early life of Mr. Pitt is necessarily supplied in the first, we are astonished at acquiring so little from his tutor and his friend. We suspect, that if the Bishop of Winchester aimed at the ease and spirit of nature, he would never succeed as a portrait painter; but so complete a failure as this compilation must be owing to other causes than want of skill. In short, we attribute the attempt mainly to a perception, that the *Dagon* of the *Georgian* era, as Dr. Southey calls it, has fallen, even in his own temple; and that it is to prop up declining political reputation, we owe so unsparing an application to paste and scissors. We are the more inclined to this opinion, as the *two* volumes (there are only to be three) form a sort of digest of the public measures of Mr. Pitt up to the revolutionary war—about eight out of the twenty-one years of his statesmanship; and that a part, too, the merit of which can be least disputed. Why are two volumes to be given to eight years of peace, and only one to thirteen of war? Was the latter less fruitful

* Very correct tradesmanlike notions on these and similar subjects may exist where they might be least suspected. The *Morning Chronicle* has informed us, that when the other friendly creditors of Mr. Pitt gave up their claims, his Right Rev. Friend and Tutor stipulated for his Library by way of composition.

of event, or more barren of consequences? The question is easily answered; but dropping speculation as to manner, let us look a little to argument and execution.

The first thing that strikes us upon these points, is that the entire work is an *unmixed* panegyric. This is not unnatural from a Tutor, in respect to his Pupil, or a Bishop in reference to his creator; but it is dreadfully injurious to the genuine character of Biography. In every thing but lightness, elegance, and felicity, the volumes before us may be compared to those academical harangues upon the decease of eminent men, which the French, with so much propriety, term *Éloges*, in which merits alone are alluded to, and errors and weaknesses kept down. It is unnecessary to observe, that the policy of any given eight years of public measures, can scarcely be regarded retrospectively, after a competent interval, without affording some materials for correction and amendment. We have nothing of this, except by a side wind, against Mr. Pitt's premature notion in favour of *Reform*. This sufficiently decides upon the objects of this publication, and in a grand particular upon its pretensions. Whatever can advance Mr. Pitt's merits is produced—whatever can detract from them withheld. The arguments of his opponents are brought forward only to be condemned; and where that would be difficult, not brought forward at all. All this is in course, looking to the source; but it is neither history nor biography. Admirers of Mr. Pitt, whom the harvest of passing consequences renders nervous, may very judiciously purchase these volumes by way of tonic or corroborative; but they who require a picture of the man, or a history of his measures, will do well to cater for themselves; the stores which have supplied Bishop Tomline are open to all men.

The most interesting portion of this publication, looking upon it simply as what it is, will be found in the early part of the first volume. We there meet with a few letters, exhibitivè of the parental tenderness of Lord Chatham; and learn some slight particulars of the college life of his favorite son. The early maturity of Mr. Pitt, like that of many other great men, seems partly to be accounted for by physical causes. Of a sickly constitution, he was not brought up in a public school; and for the same reason could not indulge in the usual sports and exercises of adolescence. That the natural consequence of this unavoidable seclusion is greater consideration and earlier mental manhood, is proverbial. In the case of Mr. Pitt, it appears to have fostered the haughty demeanour and lofty self-reliance, which he inherited from his father. His refusal, at the age of 23, of any place but that of a Cabinet Minister, and his attainment of the latter in his 25th year, are strong circumstances. The truth was, however, that the nation had become disgusted with coalition wretchedness, party chicanery, gross venality, and transparent struggles for power, even to *abhorrence*; and felt a delight in mortifying their own virtual representatives, by assisting the Sovereign to support a young man of evident abilities and fair character to baffle and set them at naught. He did so; and then it was *fashionable* to say, that the House of Commons *did not* express the will of the people; and a new Administration was formed on the express declaration, which absolutely defied the majority. So much for virtual representation. This crisis, in the commencement of Mr. Pitt's progress, undoubtedly indicated great strength of character, and afforded no small presentiment, both of the good and the evil of his future career.

The leading merit of Mr. Pitt's early Administration was clearly created by his extraordinary talents for business. These carried him through an immense portion of financial regulation and arrangement, which undoubtedly was, for the most part, highly beneficial. The leading defect in his character was a want of lofty general principles, which necessarily rendered him too pure a disciple of expediency, although a master in his line. Prudence rather than Wisdom was his great characteristic even before the revolutionary war; and subsequently, the petulant presumption of his character broke equally loose from the moorings of both. The mode in which he supported great questions of humanity and policy, shew the nature of his genius most clearly. He was for Parliamentary Reform when he entered the House, and ought to have remained so, for his own call to power very strikingly evinced its necessity. The Sovereign and people were against the Commons; but suppose the Sovereign had been with the Commons, what a delightful illustration of virtual representation would have followed. This as to the Pittite is the *Argumentum ad Hominem*.^{*} Catholic Emancipation,

^{*} Since writing the above passage, a book has accidentally fallen into our hands intitled "An Essay on the Polity of England," written in the year 1785. The author, who evidently espoused the cause of Mr. Pitt against the coalition and majority in the Commons, is ultra-loyal as to prerogative, but takes precisely the same arguments against an oligarchical House of Commons as the more modern Reformers. The Crown and the Commons have since shaken hands upon agreement, at whose expense is evident enough. The permanent interest of the Crown, however, is otherwise, and it will be found so. The strict maintenance of prerogative and free representation, are not only compatible, but essential to British freedom. It is curious to see that downward from the Crown, and upward from the people, virtual representation can be proved an Unconstitutional Usurpation.

and the abolition of the Slave Trade—what, as a Minister, did he do for either? And doing nothing, the Bishop can praise him. In fine, Mr. Pitt was a transcendent man of business, and consequently an *imposing* statesman, much as Louis XVI. was a great King. Had Great Britain escaped the revolutionary war, he might have passed with posterity for something more; but he was clearly unequal to the mighty march of circumstance which overtook him, and entirely miscalculated the energy of the impetus to which he opposed himself. Is the result of the late war—the accidental result—to be quoted as a proof to the contrary? We can scarcely take up a newspaper without being satisfied of the absurdity of that argument. In spite of Mr. Pitt and his successors, and the Holy Alliance to boot, the world will go on.

Besides the various arrangements in regard to revenue and taxation—the India Bill—(which smuggled all that for which Fox openly contended)—the settlement of American Loyalist Claims—Management of Crown Lands—Canadian Adjustment—French Commercial Treaty—Conduct of squabbles with Spain and Russia—Defence of Stadtholder—Regency Question—Defence of Corporation and Test Acts—as also of the Penal Statutes against the impugning of the Trinity;—all are more or less dwelt upon as claims to national gratitude; some with propriety, whilst others may produce a melancholy smile. The Sinking Fund, however, is the most farcical theme of panegyric; and the position that Mr. Pitt was forced into the revolutionary war the most elaborately argued. Of the latter endeavour, we shall say nothing, it would lead us too far, but we are glad to perceive, that the principle of interference is not maintained. The Bishop with great novelty, attributes the French revolution to Voltaire and Co. Ages of oppression and misgovernment had nothing to do with the mischief, and it was, we presume, quite right that a King should walk into a public assembly, with a horse whip in his hand, and order taxes to be registered, at his pleasure, to the end of time. The Bishop, however, does allow the *disorder of the finances*—which disorder was doubtless created by the aforesaid Voltaire and companions—had something to do with it; and pleasantly admits, that if the privileged orders had been moderate in time, the monarchy might have been saved. Acquitting Messrs. the Philosophers, and in the teeth of the Bishop's argument, we should not wonder if posterity were to pronounce the revolution a necessary consequence of oppression, misrule, profligacy, and corruption; and the horrors of it at once a reproof to tyranny, and a lesson to those whose duty it is to ameliorate it.

The panegyric upon the immortal plan of the Sinking Fund is written as if the Bishop had been asleep for the last half dozen years, and had composed upon the subject before he was thoroughly awake. The folly of this hyperbole as applied to the mere application of a surplus revenue, is ridiculous, especially when additional taxation is inflicted to create it. The Sinking Fund has proved a piece of machinery to keep up the price of stock, and facilitate loans, and has failed to effect a single direct advantage. The only one that in any circumstances could accrue, was a redemption of debt precisely in proportion as the nation found the means. In other words, in so far as the people deprived themselves of money, which, in their own possession, (according to the dubious theory of infinite reproduction,) must necessarily be productive, in order to appropriate it to a process, where it must as necessarily be unproductive, they redeemed debt at a grievous expense—one of the facts which unlimited paper was brought in to conceal, and it did conceal it and every thing else too for a season. But, waiving all these objections, the Sinking Fund as a plan to manage a surplus is neither wonderful nor extraordinary, being in fact pointed out by the nature of the funds themselves. Without a real surplus, it must be all folly and delusion, and so it has proved. Such nonsense, after professor Hamilton has shut up the truth in a small octave, is monstrous. The celebrated Cycle Scheme, by which every loan was to redeem itself in 47 years,* also extorts the Bishop of Winchester's unbounded admiration, especially the clause which ordains that the various products shall on no account be diverted. Lord Thurlow lost the Chancellorship for ridiculing this arrangement, which he described as childish to the last degree. Bishop Tomline gravely reprehends Lord Thurlow, in a book which comes out just as the clearness of his foresight is rendered evident by an appropriation of 18 out of the 16 sacred millions to the current expenses of the year!!! It must be stronger propping than this; my Lord, that will keep up the tottering Pitt Clubs, depend upon it.

When will the third volume appear? Query—Will it ever appear?

* Laborious and delusive nothingness. An additional sum is borrowed at a certain interest to accumulate, but which accumulation the people are taxed to supply, and that by a scheme which absolutely causes them to lose by the process; that is in all usual circumstances the interest they pay for the loan is higher than that which it redeems. Every man of common intellect would detect and spurn at such fallacy in his own affairs. These schemes are mere bonuses to money-dealers and large fundholders, and tricks upon every body else.

ASIATIC DEPARTMENT.

—641—

Stanzas.

When youth, like a fountain, reflected whatever
Could flash on the heart or repose on the eye,
And shadow or sunshine succeeded for ever,
My joy and my grief were—a smile or a sigh.
But now, like a fountain the frost ices o'er,
The blast or the beam can awake me no more:
When tempests are blowing, and sunbeams are glowing,
The heart neither quivers nor glows as before.

Oh! where is the blossom that closed or expanded
As midnight or morning were present to sway?
It is flaunting no more, as when summer winds fann'd it—
The flower and the foliage are scattered away!
How sweet was its spring while the heart was in tune,
And when joy was more changing and bright than the moon!
But 'tis vain to remember—the heart's bleak December
Hath blighted the branch that is leafless in June.

Indian News.

Deccan, October 6, 1821.—We have had so little rain in this quarter till within the last fortnight or three weeks, that serious apprehensions were entertained for the crops, some of which were altogether spoiled. A seasonable fall of rain, however, from the 13th to the 25th of last month, has brought things round again, and the general fall of rates of grain, particularly in Berar in Candesh, evince the confidence of the farmers and grain merchants in plentiful crops this year.

Surat.—Advices from Surat mention the death of His Excellency Meer Nusseir ul Deen Khan Koolub ul Dowlut Bahadur, Nawaub of Surat, about two in the morning of the 23d of September. His Excellency had been for some time in a declining state of health. He was about 71 years old, and he has left the Begum with a Son, Meer Uzul ul Deen Khan, surviving him.

Revolution at Goa.—The following are translations of documents received relative to the late Revolution at Goa:—

"In the year of our Lord Jesus Christ one thousand eight hundred and twenty-one, on the sixteenth of September, at the Palace of the Government in Pangim, present the Councillor Manoel Joze Gomes Loureiro, the Field Marshal* Manoel Godinho de Mira, the Field Marshal Joaquim Manoel Correa da Silva e Gama, the Desembargador Gonsalo de Magalhaens Texeira Pinto, and the Desembargador Manoel Duarte Leitaô: it was stated by the latter, that the will of the People and of the Troops of this Government to adhere without the least delay to the Constitution of Portugal, having been made manifest, and these sentiments having become more apparent, since the assent which His Majesty gave to the Constitution by the Decree of the 24th of February of the present year, had been promulgated through so many channels, at day-break on the said 16th, the Troops of the different Corps, that were stationed at the Islands of Goa, were drawn up in the square of the Government Palace in Pangim, and there proclaiming the Portuguese Constitution, they deputed the Field Marshal Manoel Godinho de Mira, the Field Marshal Joaquim Manoel Correa da Silva e Gama, the Desembargador João Maria de Abreo, the chief Physician of the State Antonio Jose de Lima Leitaô, the Desembargador Manoel Duarte Leitaô, and many other Officers of the different Corps, to declare to His Excellency the Viceroy and Captain General, the Count of Rio Pardo, these sentiments, and the cessation of his Government; which being done, and having intimated to him, that it was necessary for him to proceed to Cabo, in order to avoid any disturbance, or even the appearance of any disrespect, which in such cases is so very possible, and which by every means they meant to prevent, the said Count of Rio Pardo assented, and proceeded to Cabo with a competent Guard of Honor. This being done, the Troops proclaimed unanimously the said Field Marshal Manoel Godinho

de Mira, the Field Marshal Joaquim Manoel Correa da Silva e Gama, the Councillor Manoel Joze Gomes Loureiro, the Desembargador Gonsalo de Magalhaens Teixeira Pinto, and the Desembargador Manoel Duarte Leitaô, to form the Provisional Junta of the Government of India; and having convoked the Members who were not present at the Council, the Councillor Manoel Joze Gomes Loureiro, and the Desembargador Gonsalo de Magalhaens Teixeira Pinto, these declared their adhesion and sincere wishes to acquit themselves of the trust which the people reposed in them. And that it may so appear, this act was made by me Ignacio Sebastião de Silva, Chief Officer of the Secretary of State. Manoel Duarte ordered it to be written.

(Signed)

MANOEL JOSE GOMES LOUREIRO,
MANOEL GODINHO DE MIRA,
JOAQUIM MANOEL CORREA DA SILVA E GAMA,
GONSALO DE MAGALHAENS TEXEIRA PINTO,
MANOEL DUARTE LEITAO."

Soldiers of the Portuguese Army in India!—Our beloved King, Don John the 6th, assenting to the wishes of the nation and of your brothers in arms in the old and new world, deigned by his decree of the 24th February of the present year to approve of the constitution of Portugal throughout all the dominions of the Portuguese crown. From that day forward, the Portuguese, in whatever obscure corner of the earth they may reside, are no longer vassals of an absolute Monarchy, but the citizens of a constitutional Monarchy, and of a representative and free Government. This royal order, the most exuberant proof that a King could give to his people that he loved them, and that at the expense of his dearest rights and prerogatives, he labored for their good and prosperity, this sacred decree, known here for many days, and made public through many channels, had not been yet carried into effect, nor was such measure intended. It seemed as if those golden expressions of our beloved King were carried up by the winds like the sands of the desert. It became necessary to break the chains, and you were the instrument. Till now you were Soldiers of the Conde do Rio Pardo, now you are Soldiers of the Portuguese nation in India. Till now you were the support of Despotism, now you are that of Liberty. How great a difference in one and the other state!

Soldiers!—Your pay and accoutrements shall be furnished as quickly as possible. Rely on the constitutional Government which has been elected, and be obedient to your chiefs and superiors. Without subordination, there is no discipline; the greatest bravery and courage are useless where the military force turns so fatally on itself. Follow the example of your brethren in Portugal, where not one drop of blood was shed. Nothing is changed except a tyrannical and absolute Government, for a constitutional and free one, and consequently your situation from the most deplorable to the most happy. Long live the Portuguese nation, Long live the Cortes, Long live the Constitution, Long live the King Don John the 6th and the royal House of Braganza.

Inhabitants of Portuguese India!—Tyranny is at end in Goa. In the course of 316 years, 95 Governors, all despotic, and the greater part ignorant and fanatic, have nearly annihilated the political existence of our establishments, formerly the most flourishing in Asia, and have reduced them to decay and misery apparent to all the world. A new epoch now dawns, and the splendor of electric fire which has for many months enlivened our fellow citizens of Europe and America now illumines the Conkan. Don John the 6th, the most amiable of Monarchs, without the ruin, oppression, or blood of his people (the ordinary scourges of political revolt) by a decree of the 24th February of the present year, has yielded to the national wishes, and approved the constitution of Portugal throughout all the possessions and dominions of the Lusitanian empire. The satisfaction which every one feels who is not a disgrace to human nature, the happiness which results from so beneficial an order, ought not to be retarded an instant. Our wishes, however, sufficiently manifest and apparent, were not complied with by the old Government. The chains with which Despotism kept down Liberty became

* Marshal do Compo, a rank corresponding with Major General we believe.

every day heavier. It was necessary to break them, and erect a constitutional government, the palladium of a free people, which might provisionally rule and govern us until new orders could reach us from the national states. You yourselves chose it; you yourselves elected its members.

Inhabitants of Portuguese India!—From henceforward there will not exist in the office of the Secretary of State those iron coffers, in which were hid the tricks and snares of Governors. To none in future shall be denied the knowledge and reason of the result of their petitions and pretensions.—Copies of all orders and dispatches shall be put in possession of all who wish to know them. None of you shall go to sicken or expire in the infernal dungeons of Mormugao: the packets of the maritime post shall no longer go loaded with venomous and calumnious intrigues against those who endeavour to live quietly under the shade of the laws. The public revenues shall not in future be dissipated by pride and indecent caprices, in useless wars and unfortunate projects, conceived and executed without calculation, without advice, and without motives; projects from which no good but enormous evils have resulted. The military situations and offices which are at the disposal of Government shall be no longer conferred on unworthy profaners of the honor of their own and other families; there shall be no privileges of rank or church government; merit and virtue shall be the only road to office.

Inhabitants of India!—In the depressed state in which this country is, great and sudden ameliorations are impossible. It costs more to mend a state which is going to ruin, than to rebuild one: it will not be a trifle to replace what has fallen off. I hope, however, to see all the good which is possible, effected, and you yourselves may add such projects of reform as you conceive conducive to it. To this end, however, it is necessary to have confidence in the Government, and to execute the existing laws and the orders which the circumstances of the country and of the present time require. Without these, there is no government nor civil society. All is disorder and anarchy a hundred times worse than despotism.

Inhabitants of Goa!—We swear to be faithful to the King, to the Constitution, to the National Cortes. Long live the Portuguese Nation, Long live the King Don John the 6th and the royal dynasty of the House of Braganza

MANIFESTO.

Sometime had elapsed, since from the accounts received of the Declaration of the will of the Portuguese Nation, the convocation of the Cortes, and of their Union, wishes of adhering to the liberal system of Government adopted in Portugal had been manifested at this capital, and 3 or 4 months ago the change of Government that had its effect on the 16th September, would have taken place here, were it not for certain obstacles, amongst others, chiefly the invincible reluctance of His Excellency the Conde de Rio Pardo, Ex-Governor of Goa, to any thing like Liberty and a constitutional Government, and his inflexible obstinacy and mania of Despotism. However the torrent of Opinion carried all away, when on the morning of the 16th September, the 4 companies of Grenadiers that were stationed at Pangim, the greater part of the Regiment of Artillery, one Battalion of Rifle Corps, and a Detachment of the Legion of Ponda, having assembled near the Government House, proclaimed the constitution, and the liberty of the Portuguese, and deputed, in order to convey their sentiments to His Excellency the Conde do Rio Pardo, the Field Marshals Manoel Godinho de Mira, Joaquim Manoel Correa da Silva e Gama, the Judges Manoel Duarte Leitaô, Joaô Maria de Abren, and the superintending surgeon, Antonio Jose de Lima Leitaô, who were then there, together with the following Officers: Joaquim Pereira Marinho, Francisco Antonio Pimenta, Agostinho Jose Lopes, Diniozio de Mello Sm Paio, and others who had principally concurred to so glorious an achievement. Among these Deputies, Manoel Duarte Leitaô, was chosen to address the Ex-Governor Conde do Rio Pardo, and he executed the commission, declaring to his Excellency with moderation and proper respect, the will of the People, and Army, their adherence to the public cause of the nation, and consequently the cession of his

Government, and the necessity of his retiring to Cabo, where he should have a guard of honour, corresponding to his dignity, and compatible with public safety. This was accordingly done, and then in order to form the Junta of the provisional Government till the arrival of competent orders, the undermentioned Gentlemen were by unanimous votes of the Army and People, elected, viz. the Councillor Manoel Jose Gomes Loureiro, the Field Marshals Godinho de Mira, Joaquim Manoel Correa da Silva e Gama, the judges Gonsalo de Magalhaens Teixeira Pinto and Manoel Duarte Leitaô. Those who were formerly the Senate of Goa, the Arch-Bishop, and all the authorities both Civil and Ecclesiastical, swore to the Portuguese Constitution, the Cortes, and to the King D. Joaô the 6th, and in the same morning the Arch-Bishop Primate, and all the authorities having also sworn, the Portuguese liberty in the provinces was proclaimed and acknowledged, as also by the corps there stationed. It was declared that the Ex-Governor was at liberty, and that the present circumstances alone, and his own safety, demanded his being kept for the present in the district of Cabo; for indeed the odium and the public hatred against his person are very manifest. The members of the Provisional Junta are working with the greatest energy possible, but the injuries are so very serious that a celestial power would be required to put in order the ruins, in which despotism has involved this establishment.—Goa, September 19, 1821.—Bom. Cour.

Trincomalee Theatricals.

Amidst the dullness which generally prevails in this place, we are much pleased that the Navy at least try to furnish us with amusement and in the present instance they have succeeded. On Monday evening the 1st inst. we were all most agreeably entertained by the performance of the Comedy of "Ways and Means" with the Farce of "Fortune's Frolic," by the Officers of His Majesty's Ship LEANDER.—The Government Bungalow was fitted up as a Theatre for the occasion in a style much better than any of us could have imagined.—The Scenery was really beautiful and very ably managed.—The Performers quite at home in the different characters. The part of Sir David Dunder could not have been done more justice to by Munden or Fawcett than it was by the Gentleman who undertook it, and was only rivalled by his Robin Rong-head in the Farce. Tiptoe's drunken scene was exceedingly natural and the whole of his performance did him great credit. Young Random with his doubting friend Scruple were excellent; and though the former mentioned something in his part, not much in praise of the Fair Sex, yet his looks completely contradicted the assertion and he was much applauded.—The interview between Scruple and Harriet was particularly interesting, and the young Lady though her first appearance on Dramatic boards acquitted herself well. Paul Peery after his sleep was sufficiently recovered to go through the rest of his part and his impertinent curiosity afforded great amusement. The greatest compliment to Roundfee and Quick is, that they appeared the characters they mean to assume. Old Random and Carney though not very attractive parts, were performed well and the same Gentlemen did the Snacks and Frank in the Farce most admirably.—Though the French waiter had but little to say, his appearance was completely in character. The young and lively Kitty received the applause she so much deserved and her performance of Nancy in the Farce was well received. The Scruple of the Play was the Rattle of the after-piece, and gained as much credit in one as the other. Dolly in the after-piece did her character very like a Country Girl; her scene, with her Lover, when he makes known his good fortune was truly laughable. Though last (yet not least) we could not help admiring Lady Dunder whose blushes appeared to vie with her gown in point of colour; the same person afterwards did Margery in Fortune's Frolic, which character she sustained admirably; her scene in the Castle with Snacks when she brings her daughter was deservedly applauded.—Both Play and Farce went off very well, and afterwards a Dance was attempted, but owing to the want of Music, was obliged to be given up.—Every European in the place was invited and the house completely crowded—we only hope the Officers of the LEANDER will afford us another entertainment on their return from Calcutta. They have left all their Scenes and dresses behind in hopes of inspiring some of the Residents in this place with a Theatrical taste, but we fear they will not take advantage of their kindness.—Letter from Trincomalee—Madras Gazette.

CURRENT VALUE OF GOVERNMENT SECURITIES.

CALCUTTA.			
BUY			SELL
9 1/2	New Loans.	9 8
14 4	Ditto Remittable.	14 0

To the Moon.

Hail! lovely Queen of sorrow-soothing Night!
What luxury by thy pale beam to stray!
The world forgot in realms more sweetly bright,
Where Contemplation leads the pensive way,—
The solitary scene, the silent hour,
When thy mild glory o'er the landscape glows,
Impart a secret spell of balm-fraught pow'r,
That calms the heart, and stills its wildest throes.
Benignant Orb! thy rays of peace have shone,
Scattering their mantling beauty o'er the scene
When dark my soul, and earthly hope was none;
Yet as I gazed upon thy beam serene
Fancy's warm glow and soothing hopes were given,
Visions of bliss, and golden dreams of heaven!

Bandah

D. L. R.—N

Supreme Court.

CALCUTTA, SATURDAY, OCTOBER 27, 1821.

Mr. MONEY gave notice that on Tuesday or Wednesday he should move for a rule, calling on Mr. William Linton to shew cause why he should not serve on a Jury summoned by the Coroner of Calcutta, and he also moved that the Coroner's presentment should be filed. *Granted.*

A Lad was placed at the bar on a charge of having altered the amount of an Invoice due to Messrs. Jessop, and Co. by the Board of Customs, after the signature of the attesting clerk had been affixed. He was charged on three counts, with forging, with uttering, and with having the instrument in his possession.

The first witness was a Sircar in the Custom House, who stated that the bill in question was brought to him for payment on the 10th of September by the Prisoners; that he observing the figures had been altered from two hundred and odd Rupees to three hundred and odd, asked him how it happened? He replied he did not know; upon which witness told him that in consequence of it, he must shew it to Mr. Wood, whose signature was attached to it. Prisoner sat on a chest till his return with Mr. Wood, and then was taken into custody.

The next witness was the Deputy Sircar of Messrs. Jessop and Co. who sent the Prisoner with the bill. This man stated that he knew how to read English bills, but could not read petitions or any thing else; the Bill Sircar was out of the way, and therefore he sent the Prisoner, who, he at first said, could read and write English, which he afterwards contradicted. He did not write on the outside of the bill, as is customary, in Bengallee, but would have done so if the Bill Sircar had gone with it.

Mr. Wood was next examined, and he stated that the bill was brought him on the morning of the 10th September for approval, and that he signed it, and that about an hour after it was brought back with the alterations in question.

Mr. FERGUSSON entered upon the defence of the Prisoner from motives of philanthropy, and dwelt particularly upon the conduct of the Sircar of Messrs. Jessop and Co. in not writing in Bengallee on the outside of the bill; on his not sending the Bill Sircar who understood English, but a lad who knew not one word of it; and on the conduct of the lad who remained altho' he knew for what purpose the Pay-Sircar was gone. He clearly fixed the guilt of the alteration upon the Sircar, and concluded by making an emphatic appeal to the Jury.

After the evidence had been summed up by Sir ANTHONY FULLER, the Jury retired for a quarter of an hour, and brought in a Verdict of "NOT GUILTY."

HIGH WATER AT CALCUTTA THIS DAY.

Morning,	5	2
Evening,	5	26

Dum-Dum Theatre.

The Patrons and Visitors of the Dum Dum Theatre will be glad to learn that the Entertainment of this evening promises an unusually full House, and an abundant share of gratification to those who help to fill it. The weather is now so favorable for a short Drive from Town, and Dramatic Representations have become so much less frequent than formerly, by the temporary shutting up of Chowringhee to undergo improvements and repairs, that the desire for this department of Public Amusement must be unusually strong. To meet it—and to satisfy it fully, too, we would hope—the whole strength of the Dum Dum Corps has been brought forward to give effect to *The Busy Body*, the Comedy announced for representation this Evening. We have seen the Cast of this Piece, and besides the older veterans of the Stage, we observe no less than four new names among the male characters: Fowler, Ebbs, Deegan, and McClaren; while in the female department, we see in addition to Mrs. Francis and Mrs. Neave, the names of Miss Hill and Mrs. Hickey. The excellent and admirably got-up Farce of *The Reprisal; or The Tars of Old England*, is to follow; and this alone, if it is performed as well as it was at the same place a few weeks since (and the probability is of course that it will be better done) is worth the Drive to Dum Dum to see. The steady and regular Readers of the *Journal* will remember the account given by us of this Farce in the Paper of the 18th of August, No. 223, p. 605. Those who have any curiosity to gather from it what they may fairly expect this Evening, may turn to the page indicated, and infer, from what has been, what may reasonably be hoped for again.

Prologue.

Prologue to "The Rivals," performed at Kaira, spoken by an Officer in the Uniform of H. M.'s 17th Dragoons.

It lends the Epic, Horace thinks, a grace,
To dash right on, at once, "in medias res"
This rule, in Prologue, we may farther bend,
And not begin till towards the latter end,
Yes, my good Friends, and much it grieves my heart,
This night, so Fate ordained, must see us part,
Perhaps for aye; for who has eyes to pry
Into the awful secrets of the sky;
Not purblind man, whose prescience lacks the power
To pierce the veil between him and an hour.
The moist Monsoon now hastens to a close,
And then in Cutch perchance, we'll come to blows;
Or Extra Ships with the eighteenth Hussars,—
May take us back to mix in novel wars.
Then Currie, fare ye well, and Mul'gatawny,
Hodgson's Pale Ale, Tiffin, and Brandy Pawny;
Batta and Bungaloes; cheap Country Boots,
Camels, and Cotton Shirts, Bengal Cheroots,
Nose-ring'd Sultanas, Arrack and the Liver—
Good bye to you,—the last we hope for ever.
With Pension, now the Vot'ran seeks the spot,
Distant from towns, where stood his natal cot.
With gladden'd eyes, he marks the well known brook,
Bound'ry ne'er passed in rambles childhood took,
Then grasps his staff, and shakes his dripping shoes,
And numbring all his friends, his way pursues,
Happy Old Man,—if after his long roam,
One yet remains to bid him welcome home.
Not equal fortune, equal merits find,
Some full pay have, some are to half' consigned
To idly lounging up and down the street,
Fearing a Dum's in ev'ry face they meet.
No more shall deeds be done to live in story
Adieu the Cap inscribed with "Death and Glory;"
Glory no more on them will shed her rays,
No more for them loud fame, in gen'ral praise,
Will ope her brazen throat, and through the land
Proclaim their names in vict'ry's fav'rite hand—
No more the rattling charge,—the dashing on,—
Alas! Othello's occupation's gone.—

Stanzas.

1.
Lady ! tho' all too oft mine eye
Meet thine, forbear to blame ;
Nor censure an unguarded sigh
Because it breathes thy name.

2.
For beauty is a planet bright,
Which rules the subject gaze,
And every eye a satellite
Attracted by its blaze.

3.
And who hath ever seen thy face
So dangerously fair—
Or gazed upon thy form of grace,
But wished his sphere were there ?

4.
Oh ! when the brook forgets to run,
The living gem to gleam,
And roses, blushing at the sun,
Grow pale beneath his beam ;

5.
When all is foul that charmed before,
When young hearts cease to glow,
When snow-white bosoms seem no more,
But turn, indeed, to snow ;

6.
Then bid the fond and spell-bound eye
Be passionless, e'en when
Some form as fair as thine is by ;
But, lady—not till then !

Public Assembly.

The First of the Subscription Assemblies, which was held on Friday Evening, was, as we had anticipated, well attended, and the whole effect gay, brilliant, and animating. The good intentions of the Stewards were unfortunately not seconded so effectually as we had hoped ; for though many persons were in the room before 9, Dancing did not commence until a later hour, and the Promenade was not so patiently borne before the Dance began, as it was during the interval between the Setts, or after Supper. It is not indeed in the nature of young and buoyant spirits, to hear the inviting sounds of Music, and not be animated and impatient to move to them in lighter and more airy steps than the solemn tread of a long and embarrassed walk.

When the Dance began, however, it was entered into with great spirit, and Quadrilles and Country Dances succeeded each other with sufficient activity to give all an opportunity of joining in this exhilarating entertainment. The Room was well lighted, the Music excellent, the Stewards particularly attentive to the pleasure of the Company, and all wore an aspect of unconstrained and animated pleasure.

The Most Noble the Marquis and Marchioness of Hastings, as Patrons of this Entertainment, honored it with their presence ; and appeared to partake in the exhilarating influence of the gay and happy scene.

The Supper Room was opened at midnight ; and it is but justice to the Stewards, as well as the Providers of the Feast, to say that we have seldom seen the comfort of the guests better attended to. The viands were abundant and good—the wines excellent and well cooled—the servants sufficiently numerous to furnish all the aid required—a sufficiency of room and chairs at table for all present—and as much quiet enjoyment of comfort, that rare visitor at Public Entertainments, as we have ever seen in so large a party.

If the succeeding Assemblies are managed and kept up in the same efficient manner, with a little improvement in the more punctual commencement of Dancing at the prescribed hour, it is fair to presume that these Parties will be well attended throughout the season, and the Managers will deserve the thanks of the community for the excellence of their arrangements to promote the general pleasure.

Shipping Arrivals.

BOMBAY.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
Sept. 30	Hawton	British	Moosabhy	Johanna	—

Shipping Departures.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	Destination
Oct. 25	Harmony	British	J. P. Hackman	Isle of France
27	Bombay Merchant	British	J. Hill	Persian Gulph

MADRAS.

Date	Names of Vessels	Flags	Commanders	Destination
Oct. 9	Princess Royal	British	J. P. Hackman	London
9	Andromeda	British	J. Stewart	Calcutta
10	Ajax	British	W. Clarke	Calcutta

BOMBAY.

Date	Names of Vessels	Flags	Commanders	Destination
Oct. 1	Larkasar	British	C. Jolliffe	Bussorah
3	H. M. S. Liverpool	British	F. A. Collier	Trincomalee

The WOODFORD, NYMPHEN (D.) and FAZA ROBANNY (A.) arrived off Calcutta on Friday last.

Stations of Vessels in the River.

OCTOBER 26, 1821.

Kedgerree.—LADY FLORA, MAITLAND, and ELIZABETH, onward-bound, remain.

New Anchorage.—Honorable Company's Ships MARQUIS OF WELLINGTON, and THOMAS GRENVILLE,—CORNWALLIS, on her way to Town,—SÃO DOMINGOS ENEAL, (P.)

Births.

On the 27th instant, Mrs. F. RODRIGUES, Junr. of a Daughter.

At Allahabad, on the 19th instant, the Lady of Captain WILLIAM MCQUIHAE, of a Son and Heir.

At Cuttack, on the 17th instant, the Lady of WILLIAM S. STIVEN, Esq. Assistant Surgeon 2d Battalion 27th Native Infantry, of a Son.

At Benares, on the 20th instant, the Lady of Sir FREDERIC HAMILTON, Bart. of a Son.

At Futtyghur, on the 16th instant, the Lady of H. T. OWEN, Esq. Civil Service, of a Son.

At Delhi, on the 14th instant, the Lady of Captain. H. C. BARNARD, 1st Battalion 26th Regiment of Native Infantry, of a Daughter.

At Madras, on the 7th instant, the Lady of J. M. HEATH, Esq. of a still-born Son.

At Bopaulpore, on the 4th instant, the Lady of Captain E. F. WATERS, 2d Battalion 17th Native Infantry, of a Son.

At Bombay, on the 1st instant, at the house of G. L. PRENDERGAST, Esq. the Lady of EVAN H. BAILLIE, Esq. of the Civil Service, of a Daughter.

Deaths.

On the 24th instant, Mrs. MARY DUNDUN, the Wife of Mr. RICHARD DUNDUN, of the Honorable Company's Marine, aged 56 years.

At Bansbaria, on the 22d instant, J. KELLY, Esq. Surgeon, an old and much respected inhabitant of Calcutta.

At Trichinopoly, on the 2d instant, aged 2 years and 9 months, ELLEN, the youngest Daughter of C. M. LUSHINGTON, Esq.

At Patna, on the 4th instant, EVAN, the infant Son of F. NEPEAN, Esq. of the Civil Service, aged 4 years and 17 days.

At Gooty, on the 2d instant, of the Spasmodic Cholera, PETER BRUCE, Esq. of the Madras Civil Service, Senior Judge of the Provincial Court of Appeal and Circuit, in the Centre Division.